

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN DOE, *et al.*,

Plaintiff,

v.

CITY OF INDIANAPOLIS, INDIANA,
et al.,

Defendants.

No. 1:12-cv-0062 TWP-MJD

Affidavit of Fred H. Cate, J.D.

Comes now Fred H. Cate, being duly sworn upon his oath, and says that:

1. I am a Distinguished Professor and the C. Ben Dutton Professor of Law at the Maurer School of Law, and an Adjunct Professor of Informatics and Computing at the School of Informatics and Computing, at Indiana University in Bloomington, Indiana. I am also the Director of the Indiana University Center for Applied Cybersecurity Research. I received my A.B. at Stanford University in 1984 and my J.D., also at Stanford University, in 1987. I am a member of the bars of Indiana (inactive), California (inactive), and the District of Columbia (active).
2. The Indiana University Center for Applied Cybersecurity Research was established in 2003 to provide national guidance in the areas of cybersecurity technology, education, and policy. The center is recognized by the U.S. government as a National Center of Academic Excellence in Information Assurance Research and in Information Assurance Education.
3. I concentrate and specialize in my research, teaching, and advising on information and communications law and policy issues.

2. The Indiana University Center for Applied Cybersecurity Research was established in 2003 to provide national guidance in the areas of cybersecurity technology, education, and policy. The center is recognized by the U.S. government as a National Center of Academic Excellence in Information Assurance Research and in Information Assurance Education.

3. I concentrate and specialize in my research, teaching, and advising on information and communications law and policy issues.

4. I have attached my Curriculum Vitae.

5. As my Curriculum Vitae demonstrates in more detail, I have written extensively and testified before Congressional and other legislative and regulatory committees on various aspects of information and communications law and policy, including information privacy and security law. I have spoken on these subjects in many meetings, symposium, conferences, and similar settings.

6. My Curriculum Vitae also lists the numerous appointments that I currently have, and have had, on various boards that are concerned with communication law, information privacy, and security law issues. These include:

- Member of Microsoft's Trustworthy Computing Academic Advisory Board (2003-Present)

- Inaugural Member, Board of Directors, International Foundation for Online Responsibility (London, UK) (2011-Present)

- Inaugural Member of U.S. Department of Defense, Defense Advanced Research Projects Agency Privacy Oversight Board (2010-Present)

- Member of Intel Corporation's Privacy and Security External Advisory Board (2010-Present)

- Inaugural Member, U.S. Department of Homeland Security, Data Privacy and Integrity Committee Cybersecurity Subcommittee (Classified) (2009-Present)

- Member of the National Academy of Sciences Committee on Technical and Privacy Dimensions of Information for Terrorism Prevention and Other National Goals (2005-08)

- Reporter for American Law Institute project on Principles of the Law of Government Access to and Use of Digital Information (2006-08).

7. I am editor of the Oxford University Press journal, *International Data Privacy Law*, a member of the editorial advisory board of the BNA publication, *Privacy & Security Law Report*, and served as Privacy Editor of the IEEE (Institute of Electrical and Electronic Engineers) journal, *Security & Privacy* (2009-11).

8. I am the author of more than 100 books and articles, including *Privacy in the Information Age* (1997), *The Internet and the First Amendment* (1998), and *Mass Media Law* (6th edition) (2000) (with Marc Franklin & David Anderson).

9. We are living through what is aptly described as an “Information Revolution,” in which extraordinary advances in information technologies are making it possible to create, store, and share vast quantities of information.

10. The earliest phase of this revolution was marked by widespread use of electronic communications tools, such as email, and the commercial availability (in 1990) of the World Wide Web and the related expansion in access to the global internet.

11. More recently, this revolution has been facilitated by the explosion in powerful, hand-held devices such as iPhones and Androids, which has further expanded the range of people who can participate online and led to a proliferation of online sites, apps, and other tools, including instant messaging.

12. Most recently, over the past decade, the hallmark of the information revolution has been the proliferation in “social media” with the advent of MySpace, Facebook, Twitter, YouTube, Google Plus, and hundreds of other applications offering individuals the ability to interact with each other digitally.

13. The term “social media” refers to a broad range of web-based and mobile applications that allow users to interact with each other both individually and in groups. These applications typically allow users to create and/or participate in virtual communities that share common interests. These communities may be focused on an individual (e.g., a famous personality), a common interest (e.g., photography or music), a shared experience (e.g., attending the same

college or church or having read the same newspaper article), a particular ambition (e.g., job search and dating sites), or any number of other orienting features.

14. Scholars typically divide social media into six broad categories: social networking sites (e.g., Facebook), blogs and microblogs (e.g., Twitter), content communities (e.g., YouTube), collaborative projects (e.g., Wikipedia), virtual game worlds (e.g., World of Warcraft), and virtual social worlds (e.g. Second Life). Andreas Kaplan & Michael Haenlein, "Users of the world, unite! The challenges and opportunities of Social Media," *Business Horizons* 53 (1): 59-68 (2010).

15. Social media almost always require users to register to contribute material, and often require registration to access material. Registration usually requires creating an account with a distinctive username and password. Users typically do not pay any direct charge for using most social media sites. Instead, these sites are supported by targeted advertising that is based on information disclosed by or otherwise learned about the user.

16. Almost all social media depend heavily on digital communications tools in addition to stand-alone email programs, such as and instant messaging, chat rooms, blogs and other opportunities for commenting, "tweets" (a communications service provider by Twitter that allows for sending short 140-character messages that may be "followed" by other Twitter users), and other tools that allow for direct, real-time communications with individuals or groups.

17. I have been asked to address the significance of social networking web sites, blogging or communications sites, and the instant messaging and other communication elements that are part of most social media, in today's society and the effect of barring persons from these sites.

18. I have reviewed the complaint in this case, *Doe v. City of Indianapolis*, and I have studied, and I am familiar with, the terms of Indiana Code § 35-42-4-12, the statute that is the subject of this litigation.

19. I understand from my reading of the statute that Indiana Code § 35-42-4-12 denies certain persons access to social networking web sites, instant messaging, or chat room programs if these sites allow persons under the age of 18 years of age to access or use them. It is important to note at the outset that all of these applications are used by minors.

20. I understand that the persons denied the ability to access these sites by the statute are persons who are required to register as sex or violent offenders and they are sexually violent predators under Indiana Code § 35-38-1-7.5 or they committed one of the offenses noted in Indiana Code § 35-42-4-12(b)(2).

21. Indiana Code § 35-42-4-12(c) and (d) excludes from the definition of "social networking web site" and "instant messaging or chat room program" "electronic mail program" or "message board program." The Code does not define "electronic mail program" and message board program." This introduces considerable room for confusion into the law.

22. For example, one might presume that "electronic mail program" refers to stand-alone email programs such as Microsoft Outlook or Google Gmail. However, in recent years, email programs have become embedded in web sites. For example, to share a web page or story on many web sites does not require use of a stand-alone email program, but instead relies on an internal sharing mechanism operated by the web site. The user provides an email address and then the site, not the user, sends a communication to the intended recipient. The web site is not itself an "electronic mail program," although as one function it provides a web communication service. It is not clear to me as a knowledgeable observer and user of these technologies whether

the presence of this communications service exempts the entire website, or the service, or nothing at all from the application of the statute.

22. The confusion is even greater with the term “message board program,” because these are almost always embedded within other websites. Moreover, while the concept of a “message board” was fairly common in the 1980s, when internet access was generally by telephone modem and so internet functionality was often thought of in telephony terms, it is not a term commonly used today. Dramatic advances in technologies and applications have largely rendered the 1980s understanding of a “message board” incomplete, if not obsolete. Today “chat rooms,” to which the statute does apply, are arguably indistinguishable from “message boards,” to which the statute does not apply. Many websites today allow users to comment on stories or pages. The ability to comment is largely restricted to registered users—one of the hallmarks in the Indiana Code and in common experience of social media. It is difficult to determine if this commentary function, and/or the entire website that provides it, is excluded from Indiana Code § 35-42-4-12.

23. Whatever the determination regarding commentary functions, there are other functions that may seem akin to the 1980s message boards. For example, on most popular websites, users can “like” or become a “fan” of a particular page or “follow” a person or organization by clicking on one of many social media buttons. It is unclear whether the existence, or the use of, a tool for expressing support for a page exempts the tool from Indiana Code § 35-42-4-12 or does the ability to express such a preference exempt the entire website.

24. In addition to the confusion around the meaning of the exclusions of “electronic mail and message board programs” from Indiana Code § 35-42-4-12, there is the range of serious issues presented by Indiana Code § 35-42-4-12(e), which does not preclude those subject to it from accessing sites if persons under the age of 18 cannot “access or use the web site or program.”

This presents an effectively impossible condition because it is difficult for a website (much less a third-party user) to verify age on the internet. There is an extensive literature on this fact, particularly in response to Congress' efforts to regulate online access to sexually explicit material. That literature is well documented in the opinions of the U.S. Supreme Court and U.S. appellate and district courts overturning those Congressional efforts. See *Reno v. ACLU*, 521 U.S. 844, 876 (1997) (noting the lower court's finding of the absence of "any effective method for a sender to prevent minors from obtaining access to its communications on the Internet without also denying access to adults). As a practical matter, there is no way to prevent someone under the age of 18 who lies about his or her age from using the site.

25. In addition, many social media sites do not exclude minors entirely. For example, Facebook, Google Plus, and Twitter allow minors 13 or older to register and use the site. (The 13 years-of-age line is not coincidental. The Child Online Privacy Protection Act imposes special obligations on web sites that cater to children under 13; as a result, most commercial websites purport to restrict access by children under 13, although, in reality, such access is common.) LinkedIn, a popular social networking site for business professionals, requires a person to be 18 to create a profile, but allows persons of any age to access partial profiles.

26. But even where age barriers are in place to social media applications, they are widely ignored. Facebook prohibits persons under 13 from registering. However, according to one 2011 study, half of U.S. children aged 10-14 had a Facebook account by the time they were 12; 7.5 million U.S. children under 13 have Facebook accounts. In 76% of studied cases, parents reportedly helped their children lie to create their Facebook accounts. Amy Gahran, "Parents Need More Privacy About Kids' Apps Feds Say," CNN, Feb. 21, 2012; danah boyd, et al, "Why

Parents Help Their Children Lie to Facebook About Age,” FirstMonday.org., Nov. 2011, <http://www.firstmonday.org/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/3850/3075>.

27. As a practical matter, therefore, Indiana Code § 35-42-4-12 blocks access by the persons it covers to social networking of all forms—Facebook, Google Plus, Twitter, LinkedIn, etc.—and instant messaging and chat room programs because all have, and are known to have, minor users. It would be effectively impossible for them not to. The provisions therefore deny the persons to whom it applies access to the largest and fastest-growing segment of the internet, and one that is increasingly essential to employment, political discourse, and social and professional networking.

28. A June 2011 report by the Pew Internet & American Life Project of the Pew Research Center, entitled Social Networking sites and our lives, <http://pewinternet.org/~media/Files/Reports/2011/PIP%20-%20Social%20networking%20sites%20and%20our%20lives.pdf>, found that 79% of American adults indicated that they used the internet and 47% of all adults, or 59% of internet users, said that used at least one social networking site. Id. at 8. Significantly, this was almost twice the social networking site use by adults than in 2008. Id.

29. By far, the most popular social networking site is Facebook. Id. at 13.

30. Facebook is a social networking site. To use it, a person must register and create an account. Once that is done the user creates a personal profile and is able to communicate with other persons who are “friends.” President Barack Obama has attracted more than 25 million U.S. “fans” on Facebook.

31. Facebook is the most used social networking site in the world, with 845 million active users worldwide as of December 31, 2011, with an average of 483 million users on the site every

day. More than 425 million active users access Facebook via mobile applications. <http://newsroom.fb.com/content/default.aspx?NewsAreaId=22>. The United States accounts for the largest number of Facebook users, with 155,704,660 active U.S. users as of February 24, 2012—1 in 2 U.S. residents (50.19%) or 65.08% of the U.S. population online. <http://www.socialbakers.com/facebook-statistics/?interval=last-week#chart-intervals>; <http://www.socialbakers.com/facebook-statistics/united-states>.

32. There are 3,185,460 Indiana residents (or 1 in 2, 49.59%) who use Facebook. <http://www.socialbakers.com/united-states-facebook-statistics/indiana>. Four percent of the Indiana users are between 13 and 15 years of age and another 6% are 16 or 17 years of age. Id.

33. More and more, Facebook is becoming a “gateway” to other points on the internet. As indicated in the Complaint in this case, for example, if a person wishes to make a comment concerning an article in the *Indianapolis Star*, or many other local and regional newspapers (including the *Los Angeles Times* and *New York Post*), the person must have a Facebook account. Newspapers are increasingly adopting this approach as an easy means of verifying the identities of posters.

34. Additionally, a Facebook account is necessary to register for an increasing variety of discussions, including the No Labels political teleconferences led by Starbucks CEO Howard Shultz, Amazon’s Kindle Fire giveaway, Dunkin Donuts coupons, the Macy’s Million Dollar Makeover, public library book clubs and events, a variety of services for arranging events, sharing information about weddings and births, and arranging meals and other support in the face of illness or death.

35. Facebook is increasingly integrated with other websites and services, with the Facebook “Like” button appearing on more than 2.5 million websites in 2011.

<http://searchengineland.com/has-facebook-become-the-master-key-to-unlocking-the-web-75139>.

The “Like” button allows a person to share content with his or “friends” on Facebook.

36. Twitter is also a social networking site. It allows a user to send “tweets,” which are text messages of up to 140 characters, which are then received by the user’s “followers.” To join Twitter a person must create a password and account and username. Twitter permits accounts by anyone older than 12 years of age.

37. Twitter has become extremely popular, with more than 465 million accounts globally and 107.7 million in the United States as of February 24, 2012.

<http://gizmaestro.com/25/02/2012/social-media/twitter-statistics-2012-infographic/>.

38. Like Facebook, Twitter is used not just as an entertainment tool, but as a contributor to important political and cultural discussions. Included among the top 50 most followed topics/people on Twitter are President Barack Obama (12,733,118 followers), CNN Breaking News (6,487,118 followers), and Bill Gates (5,543,060 followers).

<http://www.socialbakers.com/twitter/>

39. Social networking sites are used by businesses to advertise and to hire new employees. For example, it was estimated that 89% of all companies would use social media networks for recruiting potential employees in 2011. <http://mashable.com/2011/08/28/social-media-recruiting-infographic/>. As the *Chicago Tribune* reported in 2011, “Most job hunters know that social media sites are essential to successful career-building.” Lisa Gerstner, “Social Media Can Help Retool a Career,” *Chicago Tribune*, July 10, 2011, at C3.

40. Social networking sites, instant messaging, and chat rooms are not just used for communication, but are used by increasing number of persons to receive news and other

information. In this sense they are becoming substitutes for newspapers and older forms of communication.

41. Social networking sites, instant messaging, and chat rooms are also used for political and religious association. In studies released last year, the Pew Research Center's Internet and American Life Project found that 40 percent of Republican online users turned to social media to get information and to become politically involved in a campaign during the midterm elections in 2010. Compared with other internet users, the Pew report found that "a Facebook user who uses the site multiple times per day was an additional two and half times more likely to attend a political rally or meeting, 57% more likely to persuade someone on their vote, and an additional 43% more likely to have said they would vote." *Social Networking sites*, supra at 4-5.

42. This higher level of political engagement appears to be borne out in other social media as well. On July 6, 2011, President Obama hosted a Twitter Town Hall. Similarly, the President's 2012 State of the Union Address generated more than 100,000 tweets about the address while the President was speaking, far in excess of the number of tweets on any other subject that day. The White House streamed an "enhanced" video of the address, complete with charts and graphs, and immediately after the address a panel of White House officials answered questions submitted via Facebook and Twitter about issues President Obama had addressed in the speech. Later that week, President Obama answered questions submitted via Facebook and Twitter during a live YouTube interview from the White House—all social media to which children have routine access. Eloise Quintanilla, "Republicans now as nimble as Democrats on social media, study finds," *Christian Science Monitor*, Jan. 27, 2011.

43. The Pew study highlights other uses and effects of social media: "Facebook users get more social support than other people." *Social Networking sites*, supra at 4. "Facebook revives

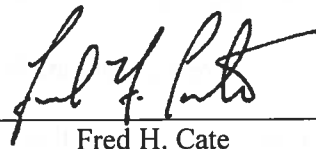
‘dormant’ relationships.” Id. at 5. “Social networking sites are increasingly used to keep up with close social ties.” Id.

44. In sum, social media and the communications tools they provide are the fastest growing means of accessing information and participating in political, social, cultural, and commercial discourse in the country today. They are increasingly critical for participating in this discourse; searching for jobs; obtaining information on candidates, companies, and other organizations; commenting effectively on current events; and maintaining links with friends, colleagues, and family members. They are all used by minors, and it is impossible with commercially viable technology and applications to reliably segregate those minors. Indiana Code § 35-42-4-12 would therefore purport to deny the persons to whom it applies access to the massive and rapidly expanding array of social media and communication tools.

Verification

I verify under penalty of perjury that the foregoing representations are true. Executed on:

March 2, 2012
DATE

A handwritten signature in black ink, appearing to read "Fred H. Cate", is written over a horizontal line.

Fred H. Cate

Prepared by:

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FRED H. CATE

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C. Ben Dutton Professor of Law,
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EMPLOYMENT

Indiana University Maurer School of Law (1990 to present)

C. Ben Dutton Professor of Law (2008 to present)

Distinguished Professor (2003 to present)

Director, Institute for Information Policy Research (2011 to present)

Co-director, Center for Law, Ethics & Applied Research in Health Information (2010 to present)

Director, Center for Applied Cybersecurity Research (2003 to present)

Adjunct Professor of Informatics and Computing (2005 to present)

Special Advisor to the Vice President for Research (2005-07); Ira C. Batman Faculty Fellow (2000-03); Harry T. Ice Faculty Fellow (1999-2000); Louis F. Niezer Faculty Fellow (1997-98); Professor of Law (1996-2003); Associate Professor (1990-96).

University committees chaired: Distinguished Professor Selection Committee (2008 to present); Committee to Review the Center for American and Global Security (2011 to present); Communication Studies Task Force (2010); Provost and Executive Vice President Search and Screen Committee (2007); Alliance of Distinguished and Titled Professors (co-chair, 2005-09); Committee on Classified and Restricted Research (2006); Bloomington Campus Strategic Planning Committee (2002-04); Commitment to Excellence Proposals Review Committee (2003-04); University Conflicts of Interest Committee (1995-2000); Campus Tenure Advisory Committee (chair, 1997-99; member, 1996-97); Committee to Review Dr. George Walker, Vice President for Research and Dean of the University Graduate School (1998-99); University Intellectual Property Policy Committee (1994-97).

Other major university committees: Distinguished Professor (Selection) Committee (2004 to present); Governing Board of the Institute for Advanced Studies (2008-11); New Academic Directions Committee (2010-11); University Athletics Committee (2004-10); Accreditation Advisory Committee (2006-08); Patten Foundation Lecturer Selection Committee (2006-07); Faculty Board of Review (2004-06); Research Affairs Committee (2004-06); Research Development Funding Review Committee (2004-05); President's Advisory Council (1997-2000); Athletics Code of Conduct Commission (2000); University Research Policy Committee (2000); Dean of the College of Arts and Sciences Search and Screen Committee (1999-2000); Advanced Research and Technology Institute Board of Directors (secretary, 1996-99); Scholarly Communications Committee (1998-99); Advanced Research and Technology Institute President Search Committee (1998), 1994-97).

Law school committees chaired: Building Committee (2010-11, 2003-04); Capital Campaign Advisory Committee (2008-09); *Federal Communications Law Journal* (faculty advisor, 1993-2005); Educational Policy Committee (2009-10, 2005-06, 1997-98); Computer Committee (1996-97).

The Centre for Information Policy Leadership at Hunton & Williams LLP, Washington, DC. Senior Policy Advisor in center providing information policy research and education. Focusing on privacy and information policy. (July 2001 to present).

Ice Miller Legal & Business Advisors, Indianapolis, IN. Senior Counsel for Information Law in Indianapolis' largest law firm, specializing in information law, privacy, and e-commerce (1997-2001).

Walther-Schücking-Institute für Internationales Recht, Christian-Albrechts-Universität zu Kiel, Kiel, Germany. Visiting Professor of Law, teaching seminar on comparative information law (May 1997).

The Annenberg Washington Program in Communications Policy Studies of Northwestern University, Washington, DC. Director of Research and Projects in public policy research center supported by Ambassador Walter H. Annenberg (1991-96). Senior Fellow (1991-93). Fellow (1990).

Debevoise & Plimpton, Washington, DC. Associate working primarily in telecommunications, First Amendment, health, and commodities law (1987-1990). Summer Associate (1986).

OTHER MAJOR APPOINTMENTS

International Foundation for Online Responsibility, London, UK. Inaugural member of Board of Directors (2011 to present).

U.S. Department of Defense, Arlington, VA. Inaugural member of DARPA Privacy Oversight Board (2010 to present).

International Data Privacy Law, Oxford University Press. Editor (2010 to present).

The Center for Identity at the University of Texas Austin. Member of the Board of Directors (2010 to present).

Intel Corporation, Santa Clara, CA. Member of the Privacy and Security External Advisory Board (2010 to present).

U.S. Department of Homeland Security, Washington, DC. Inaugural member of Data Privacy and Integrity Committee Cybersecurity Subcommittee (Classified) (2009 to present).

The Kinsey Institute for Research in Sex, Gender and Reproduction, Bloomington, IN. Member of the Board of Governors (2009 to present).

The Privacy Projects, Seattle, WA. Member of the Board of Directors (2009 to present).

IEEE (Institute of Electrical and Electronic Engineers), Washington, DC. Editor of the Privacy Department, *Security & Privacy* (2009-11).

Microsoft Corporation, Redmond, WA. Member, Trustworthy Computing Academic Advisory Board (2003 to present).

Trustee, San Francisco, CA. Member of the Board of Advisors (2009 -11).

Privacy & Security Law Report, BNA. Member of the Advisory Board (2008-10).

Center for Applied Identity Management Research, Washington, DC. Member of the Board of Directors and of the Research Planning Committee; chair of the Strategic Research Steering Committee (2008-10).

American Law Institute, Philadelphia, PA. Reporter for Principles of the Law of Government Access to and Use of Digital Information (2006-08).

National Academy of Sciences, Washington, DC. Member of the Committee on Technical and Privacy Dimensions of Information for Terrorism Prevention and Other National Goals, responsible for overseeing an Academy study by the same name (2005-08).

Barack Obama 2008 Presidential Campaign, Chicago, IL. Privacy advisor (2008).

Indiana Commission for Higher Education, Indianapolis, IN. Appointed by Governor Mitch Daniels (2005-07). Faculty Nominating Committee (Chair, 2009).

Center for Identity Management and Infrastructure Protection, Utica, NY. Member, Research Steering Committee (2006 -07).

Markle Foundation Task Force on National Security in the Information Age, New York, NY. Associate and reporter for the Task Force's third report (2006).

American Historical Association, Washington, DC. Member of the Task Force on Intellectual Property (2002 to present).

U.S. Department of Defense, Arlington, VA. Reporter to the Technology and Privacy Advisory Committee (Newton N. Minow, Chair, Floyd Abrams, Zoë Baird, Griffin Bell, Professor Gerhard Casper, William T. Coleman, Jr., Lloyd N. Cutler, and John O. Marsh Jr.) (2003-04).

Privacy and Information Law Report, Glasser Legal Works. Member of the Board of Editors, (2000-08).

American Enterprise Institute, Washington, DC. Visiting Scholar (2000-03).

American Legislative Exchange Counsel, Washington, DC. Academic Advisor (2000-02).

American Institute for Contemporary German Studies, Washington, DC. Director of project on German-U.S. electronic commerce (1999-2002).

International Telecommunication Union, Geneva. Chair of High-Level Experts on Electronic Signatures and Certification Authorities (1999).

Federal Trade Commission Advisory Committee on Online Access and Security, Washington, DC. Member (2000).

United Nations Working Group on Emergency Telecommunications, Geneva. Member and principal drafter of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations, which was adopted in June 1998 (1994-2002).

American Bar Association Section on Health Law, Chicago, IL. Vice Chair of Electronic Communications and Privacy Interest Group (1998-2000).

International Association of Science and Technology for Development, Calgary, Canada. Member of the Technical Committee on Law and Technology (1999-2001).

Committee on Institutional Cooperation, Champaign, IL. Member of the Copyright and Intellectual Property Committee (1997-2000).

Indiana Public Access Task Force, Indianapolis, IN. Appointed by Governor Frank O'Bannon (1998-99).

American Association of University Professors, Washington, DC. Chair of the Subcommittee on Intellectual Property Rights and principal author of Copyright Issues in Colleges and Universities (1997-98).

Brookings Institution, Washington, DC. Director of study on financial privacy (1996-97).

EDUCATION

Stanford Law School. J.D. (1987). Book Review Editor, *Stanford Law Review*. Research Assistant for Professor Marc Franklin, Frederick I. Richman Professor of Law (1985-87). Notes: "Defining California Civil Code Section 47(3): The Resurgence of Self-Governance," 39 *Stanford Law Review* 1201 (1987); "Civil Defamation Law in the Soviet Union," 23 *Stanford Journal of International Law* 303 (1987).

Stanford University. A.B., History (1984). Phi Beta Kappa, Departmental Honors and Distinction. Honors Theses: *An Introduction to the Life and Thought of Frank Friedman Oppenheimer* (1983); *Thomas Cranmer and the Prayer Books of Edward VI* (1984).

Oxford University. Tutorial work towards B.A., Modern History (September 1980 to June 1981). Research in early modern English history (Fall 1984).

PROFESSIONAL MEMBERSHIPS AND HONORS

President Phi Beta Kappa

Member American Law Institute
 American Bar Foundation Fellows
 Phi Beta Kappa Fellows (Life)
 Phi Beta Kappa Foundation Board of Trustee (Executive Committee)
 American Bar Association

Admitted to practice: U.S. Supreme Court, the U.S. Court of Appeals for the Ninth Circuit, California (inactive), the District of Columbia, and Indiana (inactive)

Manuscript Reviewer: Brookings Institution Press, Georgetown University Press, Indiana University Press, *Journal of the American Medical Association*, *Law & Society Review*, MIT University Press, National Science Foundation, Northwestern University Press, Progress and Freedom Foundation, *Professional Psychology: Research and Practice*, University of Chicago Press, Yale University Press.

Promotion and Tenure Candidate Reviewer: Arizona State University School of Law, Brooklyn Law School, University of California at Berkley (Boalt Hall), Elon University, Georgetown University Law Center,

Harvard School of Engineering and Applied Sciences, Rutgers School of Law—Newark, University of Haifa, University of Houston Law Center, University of Iowa College of Law, University of Cambridge, University of London, University of Oxford.

- Listed *Who's Who in the World*
 Who's Who in America
 Who's Who in American Law
 Who's Who in American Education
 Computerworld's "Best Privacy Advisers in 2011," "Best Privacy Advisers in 2008," and "Best Privacy Advisers in 2007" (only academic listed)
 Indiana Business Journal's "Who's Who in Information Technology" (1998), "Who's Who in Law" (1998), and "40 Under Forty" (2001)
- Awards Indiana University Teaching Excellence Recognition Award (1999)
 Indiana University Trustees' Teaching Award (2004)
 Indiana University Trustees' Teaching Award (2010)
 Indiana University Maurer School of Law Public Interest Faculty Award (2010)

LEGISLATIVE AND AGENCY TESTIMONY AND COMMENTS

1. *H.B. 1937*, Committee on Criminal Jurisprudence, Texas House of Representatives, Austin, TX, Mar. 22, 2011 (written testimony).
2. *TSA Oversight Part I: Whole Body Imaging*, Committee on Oversight and Government Reform, Subcommittee on National Security, Homeland Defense, and Foreign Operations, U.S. House of Representatives, Washington, DC, Mar. 16, 2011.
3. *ECPA Reform and the Revolution in Cloud Computing*, Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Civil Liberties, U.S. House of Representatives, Washington, DC, Sep. 23, 2010.
4. *Privacy, Innovation and Global Trade*, Symposium: A Dialogue on Privacy and Innovation, U.S. Department of Commerce, Washington, DC, May 7, 2010.
5. *Video Laptop Surveillance: Does Title III Need To Be Updated?*, Committee on the Judiciary, Subcommittee on Crime and Drugs, U.S. Senate, Philadelphia, PA, Mar. 29, 2010.
6. *Lessons Learned and Looking Forward*, Exploring Privacy, Federal Trade Commission Workshop, Washington, DC, Mar. 17, 2010.
7. *Technology and Policy*, Exploring Privacy, Federal Trade Commission Workshop, Berkeley, CA, Jan. 28, 2010.
8. *Exploring Existing Regulatory Frameworks*, Exploring Privacy, Federal Trade Commission Workshop, Washington, DC, Dec. 7, 2009.
9. *Classified Staff Briefing on Cybersecurity Oversight and Privacy Protection*, Committee on Intelligence, U.S. Senate, Washington, DC, Nov. 10, 2009.

10. *Roundtable on the Future of Privacy, Civil Rights, and Civil Liberties at the Department of Homeland Security*, Committee on Homeland Security, U.S. House of Representatives, Washington, DC, Dec. 3, 2008.
11. *Stakeholder's Forum of the Trilateral Committee on Transborder Data Flows*, United States, Canada & Mexico Security and Prosperity Forum, Washington, DC, Sept. 25, 2008.
12. *Provincial Canadian Geographic Restrictions on Personal Data in the Public Sector*, Submitted to the Trilateral Committee on Transborder Data Flows, Sept. 2008.
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23. "Health Care Decision Making in Indiana and Beyond," *Bill of Particulars*, Fall 1992, at 5 (with Kathleen M. Anderson).
24. "The Search For Justice: Is Impartiality Really Possible?," *USA Today Magazine*, Jan. 1992, at 58 (with Newton N. Minow).
25. "Health Care Decision-Making and Organ Donation," *The Bridge*, vol. v, no. 4, 1 (1991).
26. "The Illusive Quest for Impartial Juries," *Scripps-Howard News Service* (1991).
27. "Jury Selection Skews Justice," *Rocky Mountain News*, Dec. 8, 1991, at 129.
28. "Time for National Health Plan," *Journal of Commerce*, Aug. 28, 1991, at A8.
29. "The Gift of a Lifetime," 75 *Vanderbilt Magazine* 15 (Spring 1991).
30. "A Failure to Communicate," *Journal of Commerce*, Dec. 7, 1990, at A8 (with Newton N. Minow).
31. "The Lessons of Sidney Greenspan," *Chicago Tribune*, Oct. 17, 1990, at 17 (with Newton N. Minow).
32. "Why Transplants Don't Happen," *Atlantic*, Oct. 1990, at 99 (with Joel L. Swerdlow). Reprinted in *Richard P. Batteiger, Writing and Reading Arguments* 322 (1994); *Biomedical Ethics* 81 (Terry O'Neill, ed., 1994); *Computers and Society* 4th 202 (Kathryn Schellenberg, ed., 1992).
33. "Elected Officials Get Nasty About Rap, Art and the Flag," *San Francisco Chronicle*, Jun. 14, 1990, at A33.
34. "Censorship as a Political Tool: A Bad Rap for 2 Live Crew," *Atlanta Constitution*, Jun. 13, 1990, at A13.
35. "Censorship as a Political Tool," *Christian Science Monitor*, May 21, 1990, at 18.

36. "Must Ignorance Be a Virtue in Our Search for Justice?," *Los Angeles Times*, Jan. 25, 1990, at B7 (with Newton N. Minow). Reprinted in *St. Louis Post Dispatch*, Jan. 29, 1990, at 3B; *Buffalo News*, Feb. 4, 1990, at H11; *Star Tribune* (Minneapolis), Feb. 9, 1990, at 19A; *Akron Beacon Journal*, Feb. 1, 1990, at A7; *Newsday*, Jan. 31, 1990, at 61.

ADDRESSES, CONFERENCES, AND SELECTED PANELS

1. *Privacy and Security in the Cloud: How Should Access to Data Be Governed?*, U.S.-China Internet Industry Forum, Microsoft Corporation and Internet Society of China, Washington, DC, Dec. 7, 2011 (panelist).
2. *Consent in Health Care: Ethical Considerations for Attorneys*, Health Information and Ethical Representation: Critical Intersections for the Health Lawyer, Center for Law, Ethics, and Applied Research in Health Information, Indianapolis, Dec. 5, 2011.
3. *The Growing Importance (and Irrelevance) of International Data Protection Law*, The 2011 Snyder Lecture, Lauterpacht Centre for International Law, University of Cambridge, Cambridge, UK, Nov. 14, 2011.
4. *Government Access to Personal Data*, Beihang University School of Law, Beijing, Oct. 19, 2011.
5. *Information Security in Global Data Flows*, Beijing Institute of Technology School of Law, Beijing, Oct. 19, 2011.
6. *Data Protection at a Crossroads*, Beihang University School of Law, Beijing, Oct. 18, 2011.
7. *Achieving Workable Security in a Multinational World*, Academic Symposium on the Internationalization of Cyberspace, United States Information Technology Office, Information Technology Industry Council, & Beijing University of Posts and Telecommunications, Beijing, Oct. 18, 2011.
8. *Accelerating Research: Increasing Privacy Protection and Reducing Research Impediments*, 2011 C-Change Annual Meeting, Washington, DC, Oct. 6, 2011.
9. *Increasing Privacy Protection and Reducing Research Impediments*, 2011 C-Change Annual Meeting, Washington, DC, Oct. 5, 2011 (panelist).
10. *Surviving and Prospering in the Digital Data Deluge*, Oxford Digital Data Dialogue, Oxford Internet Institute & Center for Applied Cybersecurity Research, Oxford, UK, Sep. 21-22, 2011 (co-organizer & co-moderator).
11. *Global Privacy Issues in an Evolving Healthcare Environment*, Ethics and Compliance Operations 2011, Eli Lilly and Company, Indianapolis, IN, Sep. 7, 2011.
12. *Surviving the Digital Data Deluge*, Nerdstock, 3M, St. Paul, MN, June 27, 2011 (keynote).
13. "Is Self-Regulation Dead? The Coming New Regime for Privacy and Security," *Twelfth Annual Privacy Law Institute*, PLI, New York, NY, June 21, 2011.

14. *What Do the Common Elements of Next Generation Privacy Law Mean for My Business?*, The Centre for Information Policy Leadership Annual Retreat, Santa Clara, CA, June 16, 2011 (co-moderator).
15. *Policy Instructions for the Government Relations*, The Centre for Information Policy Leadership Annual Retreat, Santa Clara, CA, June 16, 2011 (co-moderator).
16. "Information Privacy and Security," *Indiana Graduate Program for Judges*, Indiana Judicial Center, Nashville, IN, June 5-10, 2011.
17. *Accountability Phase III—The Madrid Project*, Centre for Information Policy Leadership, Madrid, May 24-25, 2011 (participant).
18. *Protecting Individual Privacy in the Struggle against Terrorists*, National Academy of Sciences Annual Meeting, Washington, DC, May 1, 2011.
19. *Privacy in Finance and Health*, Microsoft Innovation Outreach Partnership, New York, Apr. 27, 2011 (panelist).
20. *Balancing the Privacy Concerns of Citizens, Corporations & Government*, Microsoft Innovation Outreach Partnership, New York, Apr. 26, 2011 (moderator).
21. "Making Hay in a Civil Way: Is Discourse Off Course?," O'Bannon Institute for Community Service, Bloomington, IN, April, 8, 2011 (panelist).
22. *Accountability Phase III—The Madrid Project Experts Meeting*, Centre for Information Policy Leadership, Madrid, Feb. 9, 2011 (participant).
23. *The FTC's New Privacy Report: What You Should Know*, American Bar Association Section of Antitrust Law telephonic program, Dec. 14, 2010 (co-moderator).
24. "The Regulatory Processes: FTC and CFPB Powers Regarding Unfair, Deceptive and Abusive Practices," *The FTC, the CFPB and Consumer Privacy Protection 2010*, International Association of Privacy Professionals Practical Privacy Series, Washington, DC, Dec. 7, 2010 (moderator).
25. "Privacy, Research, and the HIPAA Privacy Rule," C-Change Annual Meeting—*Fast Forward: Health Reform and Beyond*, College Station, TX, Nov. 20, 2010.
26. "Government Access to Private Sector Data," *32nd International Conference of Data Protection and Privacy Commissioners*, Jerusalem, Oct. 27-29, 2010 (moderator).
27. "Internet, Blogs, and Social Networking," Annual Meeting of the Judicial Conference of Indiana, Indianapolis, IN, Sep. 21, 2010.
28. "Cyber Peacetime Security and Cyberwar," *From Cybersecurity to Cyberwar: An EMC Chair-Sponsored Workshop*, U.S. Naval War College, Newport, RI, Sep. 9-11, 2010.
29. "The Big Picture: Looking Ahead from 50,000 Feet," *Eleventh Annual Privacy Law Institute*, PLI, Chicago, IL, July 20, 2010.
30. *Accountability Phase II—The Paris Project*, Centre for Information Policy Leadership, Paris, June 25, 2010 (participant).

31. "The Big Picture: Looking Ahead from 50,000 Feet," *Eleventh Annual Privacy Law Institute*, PLI, New York, NY, June 22, 2010.
32. "Liberty and Law," Phi Beta Kappa Address, Stanford University, Stanford, CA, June 11, 2010.
33. "Data Can be Good: Exploring Alternatives to Data Minimization for Protecting Privacy," *2010 International Association of Privacy Professionals Global Privacy Summit*, Washington, DC, Apr. 21, 2010 (panelist).
34. "Internet, Blogs & Social Networking: Legal and Ethical Issues," *Spring Judicial College Program*, Indiana Judicial Center, Indianapolis, IN Apr. 15, 2010.
35. "The History and Purpose of Phi Beta Kappa," Academic Convocation, Elon University, Elon, NC, Apr. 13, 2010.
36. "A Nation Under Siege: Information Security and the Attack on American Interests," *Center for Applied Cybersecurity Research Higher Education Cybersecurity Summit*, Indianapolis, IN, Apr. 1, 2010.
37. "Access Denied: Navigating the Legal Challenges to Newsgathering," A televised roundtable sponsored by the Indiana University Maurer School of Law and School of Journalism, the Elon Program for Documentary Production, and WTIU, Bloomington, IN, Mar. 20, 2010 (moderator and organizer).
38. "Liberty and Law," Phi Beta Kappa Address, Purdue University, West Lafayette, IN, Mar. 25, 2010.
39. "Legal Issues in Pervasive and Autonomous Information Technology," *Ethical Guidance for Research and Application of Pervasive and Autonomous Information Technology*, Association for Practical and Professional Ethics & Indiana University Poynter Center for the Study of Ethics and American Institutions, Cincinnati, OH, Mar. 3-4, 2010.
40. "Private Data in Public Hands," *Navigating the Digital Ocean: Riding the Waves of Change*, 11th Annual Privacy and Security Conference and Exposition, Victoria, BC, Feb. 9-10, 2010.
41. "Protecting Privacy in Health Research: The Limits of Notice and Choice," *Symposium Celebrating the 50th Anniversary of Dean William L. Prosser's Privacy*, *California Law Review*, University of California Berkeley, Berkeley, CA, Jan. 29, 2010.
42. "The NAS Privacy Framework," *Practical Privacy Series*, International Association of Privacy Professionals, Washington, DC, Dec. 8-9, 2009.
43. "Electronic Discovery in Civil Litigation and Cross Border Data Flows," *The 2009 Conference on Cross Border Data Flows, Data Protection and Privacy*, U.S. Department of Commerce & European Commission, Washington, DC, Nov. 16-18-2009.
44. "Compliance in Privacy and Information Security," *College and University Compliance Programs: Obligations, Organization & Implementation*, National Association of College and University Attorneys, Washington, DC, Nov. 12, 2009 (panelist).
45. "Society Under Surveillance? Striving for a Balance Between Security and Privacy," *31st International Conference of Data Protection and Privacy Commissioners*, Madrid, Nov. 4-6, 2009.

46. "Privacy and Ethics of Medical Information Governance," *Corporate Integrity: Meeting the Challenges and Doing the Right Thing*, Indiana University School of Law—Indianapolis, Indianapolis, IN, Oct. 13, 2009 (panelist).
47. *News from the Future: Impact of the Privacy and Security Law Policies of the New Administration*, Tenth Annual Privacy Law Institute, PLI, New York, NY, June 23, 2009.
48. "Strategic Information Management: Beyond Personal Information," International Association of Privacy Professionals Audio Conference, May 21, 2009.
49. *Civil Discovery: Privacy Protection v. Full Disclosure*, 58th Annual meeting of the Seventh Circuit Bar Conference and Judicial Conference of the Seventh Circuit, Indianapolis, IN, May 18, 2009.
50. *Accountability Phase I—The Galway Project*, Centre for Information Policy Leadership, Dublin, France, Apr. 28, 2009 (participant).
51. "Global Privacy and the Endless Entanglements of US Laws—Are you Consulting with your Litigators?," International Association of Privacy Professionals Audio Conference, Apr. 20, 2009.
52. *Between a Rock and a Hard Place: Managing Conflicts Between U.S. National Security Laws and Canadian Privacy Protection Requirements*, American Bar Association Section of International Law 2009 Spring Meeting, Washington, DC, Apr. 16, 2009.
53. "Global Privacy and the Endless Entanglements of US Laws—Are you Consulting with your Litigators?," *International Association of Privacy Professionals Privacy Summit*, Washington, DC, Mar. 11-13, 2009.
54. "Strategic Information Management: Beyond Personal Information," *International Association of Privacy Professionals Privacy Summit*, Washington, DC, Mar. 11-13, 2009.
55. *Security Breach Notification Symposium*, Berkeley Center for Law & Technology—Berkeley Technology Law Journal, Mar. 6, 2009.
56. *Workshop on the Economics of Securing the Information Infrastructure*, Institute for Information Infrastructure Protection, Berkeley, CA, Mar. 5, 2009 (participant).
57. *Information Privacy and Security in the New Frontier*, ID Analytics Advisory Council, Carlsbad, CA, Feb. 24, 2009.
58. *The Role of Cybersecurity in Emergency Management and Homeland Security*, Safe Guarding America Symposium, Indiana University & U.S. Northern Command, Indianapolis, IN, Feb. 4, 2009.
59. "Profiling and Transparency in Privacy and Surveillance Systems: The Search for Proportionality," *Computers, Privacy, Data Protection International Conference*, Brussels, Jan. 17, 2009.
60. *Essential Elements of Accountability*, Galway Project Experts Meeting, Dublin, Jan. 14, 2009 (moderator).
61. *Government Access to Personal Information: Cross Border Challenges*, Identity, Privacy and Security Public Lecture Series, University of Toronto, Nov. 24, 2008.

62. *High-Level Workshop on U.S. Civil Discovery and European Data Protection*, Center for Applied Cybersecurity Research & Centre for Information Policy Leadership, Brussels, Oct. 22, 2008 (organizer and moderator).
63. "US Domestic Legislation at International Level," *Workshop on International Transfers of Personal Data*, European Commission & U.S. Department of Commerce, Brussels, Oct. 21, 2008.
64. *Protecting Privacy in a Borderless World*, 30th International Conference of Data Protection Commissioners, Strasbourg, France, Oct. 15-17, 2008.
65. "Between a Rock and a Hard Place: Conflicts Between U.S. Discovery Requirements and Government Agencies' Requests for Data and European Data Protection Law," *IAPP Data Protection and Privacy Workshop*, International Association of Privacy Professionals, Strasbourg, Oct. 14, 2008.
66. *The First Amendment in the 21st Century: The Internet and Beyond*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Sep. 18, 2008.
67. *Privacy and Security Policy in a World of Ubiquitous Data Availability*, Center for Applied Cybersecurity Research, Bloomington, IN, Sep. 11, 2008.
68. *Privacy and Governmental Access to Data*, Navigate 2008, International Association of Privacy Professionals, New Castle, NH, Aug. 18-20, 2008.
69. *The World of Ubiquitous Data Availability*, Bloomington Rotary Club, Bloomington, IN, July 22, 2008.
70. *News from the Future: What Privacy and Security Law Will Look Like Five Years from Now*, Ninth Annual Privacy Law Institute, PLI, New York, NY, June 24, 2008.
71. *Privacy Law Scholars Conference 2008*, Washington, DC, June 12-13, 2008 (commenter).
72. *Information Privacy and Security*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 2-6, 2008.
73. *CyberFest 2008*, Sandia National Laboratories, Albuquerque, NM, May 28-29, 2008 (participant).
74. *Emerging Identity Risk Trends*, Identity 2008, Carlsbad, CA, May 13, 2008.
75. *Complying with U.S. Laws, Policies, and Norms When Collecting and Using Biometric Data*, Biometrics and Security, Center for Strategic and International Studies, Washington, DC, Apr. 24, 2008 (panelist).
76. *Identity Theft: Fact or Fiction?*, The Sciencetech Club, Indianapolis, IN, Apr. 21, 2008.
77. *Data Dilemmas: Privacy, Security and Propriety of Electronic Information*, Cornell University, Ithaca, NY, Apr. 17, 2008.

78. *Privacy and Security in Higher Education*, Indiana Higher Education Cybersecurity Summit, Indianapolis, IN, Apr. 3-4, 2008.
79. *Investigations and Discovery*, Privacy Law: Developments, Planning, and Litigation, ALI-ABA Advanced Course of Study, Washington, DC, Mar. 13-14, 2008 (moderator and member of the organizing committee).
80. *Data Surveillance and National Security: Is Privacy Dead?*, Winter College 2008, Indiana University Alumni Association, Sanibel Island, FL, Feb. 15-17, 2008.
81. *Assessing Notice and Consent*, Data Privacy in Transatlantic Perspective: Conflict or Cooperation?, Duke Law School Center for International and Comparative Law and the Duke Center for European Studies, Durham, NC, Jan. 18, 2008 (panelist).
82. Plenary Privacy Panel, 2007 Annual Education Program of the Florida Conference of Circuit Judges, Ponte Vedra Beach, FL, Dec. 10, 2007 (panelist).
83. *Privacy and Security in Higher Education: The Policy Challenge*, Law for the University Administrator, Arizona State University, Tempe, AZ, Oct. 24, 2007 .
84. *The Identity Management Research Workshop: A Three Year Comprehensive Research Agenda*, Identity Management and Information Protection: Research to Action, Economic Crime Institute of Utica College 18th Annual Conference, Tyson's Corner, VA, Oct. 22, 2007 (panelist).
85. *Identity Theft, Security Breaches, Social Security Numbers, and Financial Fraud: the Times They are a-Changin'*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Oct. 9, 2007.
86. *The Autonomy Trap*, The Privacy Symposium—Summer 2007, Cambridge, MA, Aug. 24, 2007.
87. *Protecting Privacy and Security*, American Bar Association Annual Meeting, San Francisco, Aug. 12, 2007 (panelist).
88. *The Information Policy Conundrum*, EDUCAUSE Seminars on Academic Computing, Snowmass Village, CO, Aug. 7, 2007.
89. *Multinational E-discovery and Internal Investigations*, Center for Information Policy Leadership Information Policy Retreat, Redmond, WA, July 18-20, 2007.
90. *The Impact of Policy Decisions, Legislation, and Regulatory Actions*, Identity Management Research Workshop, Center for Identity Management and Information Protection, Wye Plantation, MD, July 11, 2007 (with Thomas M. Regan) (member of the organizing committee, facilitator, and speaker).
91. *What Lies Ahead? The Future of Regulation of Information Privacy and Security*, Eighth Annual Privacy Law Institute, PLI, New York, NY, June 26, 2007.
92. *The Identity Theft Hoax*, Indiana University MiniUniversity, June 19, 2007.
93. *The Role of Government in Assuring Accountability*, Introduction to the Role of Accountability in Privacy Law, Institute of Law, China Academy of Social Science, Beijing, June 16, 2007.

94. *Consumer Protection and Privacy*, 2007 Privacy & Security Law Symposium, Tsinghua University Law School, Beijing, June 15, 2007.
95. *The Privacy Hoax*, 2007 Conference on Interdisciplinary Studies in Information Privacy and Security, Rutgers University, New Brunswick, NJ, May 22, 2007.
96. *Electronic Evidence Gathering and Privacy*, 56th Annual meeting of the Seventh Circuit Bar Conference and Judicial Conference of the Seventh Circuit, Milwaukee, WI, May 7, 2007 (panelist).
97. *U.S. Document Production and International Data Protection—Managing Conflicting Requirements*, Indiana University School of Law-Bloomington, Indianapolis, IN, Apr. 10-11, 2007 (organizer and convener).
98. *U.S. Document Production and International Data Protection*, Hunton & Williams LLP, London, Mar. 20, 2007.
99. *2010: A Privacy Odyssey?*, International Association of Privacy Professionals National Summit 2007, Washington, Mar. 9, 2007 (moderator).
100. *E-discovery and HR Data Protection*, Human Resources Working Group, International Association of Privacy Professionals National Summit 2007, Washington, Mar. 9, 2007 (panelist).
101. *2007 Annual Meeting of Faculty Leaders*, Indiana Commission for Higher Education, Indianapolis, IN, Feb. 23, 2007 (organizer and convener).
102. *The Failure of Fair Information Practices*, Stetson University College of Law, Gulfport, FL, Feb. 21, 2007.
103. *University Legal Responsibility in the “Facebook/MySpace” Era*, 28th Annual National Conference on Law and Higher Education, Clearwater Beach, FL, Feb. 19, 2007.
104. *The Identity Theft Epidemic: Fact or Fiction?*, Indiana University Alumni Association Executive Council, Indianapolis, IN, Dec. 9, 2006.
105. *The Identity Theft Epidemic: Fact or Fiction?* The Colloquium for Women of Indiana University, Indiana University Foundation, Bloomington, IN, Nov. 3, 2006.
106. *Sarbanes-Oxley and the Importance of Compliance, Data Privacy & Security*, International Quality & Productivity Center, Washington, DC, June 22, 2006.
107. *What Next? The Frontiers of Privacy Law*, Seventh Annual Privacy Law Institute, PLI, New York, NY, June 20, 2006.
108. *Privacy Law in North America*, Symposium on Personal Information Protection and Its Legislation, Institute of Law, Chinese Academy of Social Sciences, Beijing, June 17, 2006.
109. *Information Privacy, Security, and Homeland Defense*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 5-9, 2006.
110. *The First Amendment and the Kinsey Institute*, 2006 Indiana Solo & Small Firm Conference, Indiana State Bar Association, Bloomington, IN, June 2, 2006.

111. *The Legal Implications of a Data Security Breach*, Experian Law Conference, La Jolla, CA, May 2, 2006 (moderator),
112. *The Privacy and Security Policy Vacuum in Higher Education*, Safety, Security, and Privacy: The Politics of Surveillance, Technology Policy for a Flattening World, Policy 2006, EDUCAUSE Policy Conference, Washington, Apr. 25, 2006.
113. *Frederick Fisher Memorial Program: Consumer Privacy and Information Security: Does the Risk of Security Breaches Justify the Burden of Additional Safeguards?*, ABA Section of Business Law Spring Meeting, Tampa, FL, Apr. 7, 2006 (panelist).
114. *Keynote Address*, Safe Harbor Workshop, International Pharmaceutical Privacy Consortium, Washington, DC, Feb. 23, 2006.
115. *Impediments to a Global Privacy Solution*, Towards a Privacy Global Solution, United States Council for International Business. Washington, DC, Jan. 26, 2006.
116. *Privacy and Security: Intersection, Overlap or Conflict*, Cincinnati KnowledgeNet, Cincinnati, OH, Dec. 15, 2005.
117. *Using Law to Enhance Information Security: The Lessons From Information Privacy*, Information at Risk: Challenge and Conflict, Economic Crime Institute of Utica College 16th Annual Conference, Tyson's Corner, VA, Oct. 25, 2005.
118. *Security Breach Scenario*, Vision 2005, Experian, Phoenix, AZ, Oct. 24, 2005 (moderator).
119. *The Changing and Expanding Horizon of Risk*, Eli Lilly and Company HR Privacy Summit, Indianapolis, IN, Oct. 10, 2005.
120. *What Every Attorney Should Know About Privacy and Security*, Monroe County Bar Association Annual Meeting, Bloomington, IN, Sep. 30, 2005.
121. *The Role of Law in Building Networks of Trust*, Identity 2005, Dana Point, CA, Sep. 21, 2005.
122. *Security, Privacy, and Other Digital Challenges for the State: The Year Behind and the Year Ahead*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Sept. 15, 2005.
123. *The Copyright Law "Balance,"* Elon University, Elon, NC, Sep. 12, 2005.
124. *Congressional Briefing on Information Security*, Wilmington, DE, Aug. 30, 2005.
125. *Information Privacy in the New Era: Control, Convenience, or Security?*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 9, 2005.
126. *Information Privacy and Security*, Lexis Information Policy Forum, Tysons Corner, VA, June 8, 2005 (panelist).
127. *Information, Privacy, and Security*, The American Law Institute, Philadelphia, PA, June 1-2, 2005.

128. *The Year Behind and the Year Ahead*, Sixth Annual Privacy Law Institute, PLI, Atlanta, GA, May 24, 2005.
129. *The Nature of Information Security Threats*, Briefing for the Information Security Committee of the Japanese Keidanren, Washington, DC, Apr. 14, 2005.
130. *Positioning Public Trust: Preserve and Protect*, Security in Motion, CERIAS 6th Annual Information Security Symposium, Purdue University, West Lafayette, IN, Mar. 24, 2005 (panelist).
131. *Data Sharing—Risks, Issues, and Realities*, IAPP National Summit 2005, International Association of Privacy Professionals, Washington, DC, Mar. 10, 2005 (panelist).
132. *Information Crisis Management*, Experian Law Conference, New Orleans, LA, Mar. 8, 2005 (moderator).
133. *The Failure of Fair Information Practice Principles*, Is Consumer Protection an Anachronism in the Information Economy?, Shidler Center for Law, Commerce + Technology, Seattle, WA, Mar. 4, 2005.
134. *Interconnectivity in Privacy*, HR Privacy Summit, Eli Lilly and Company, Indianapolis, IN, Jan. 31, 2005.
135. *ACCESS? Courts, Counsel and the Press in an Era of Privacy & Security*, Indiana University School of Law-Bloomington and the *Federal Communications Law Journal* CLE, Indianapolis, IN, Dec. 7, 2004 (moderator and organizer).
136. *Privacy, Access, and National Security*, Newspaper Association Managers 2004 Legislative Conference, Rosslyn, VA, Nov. 8, 2004.
137. *Forum on First Amendment Rights*, Ohio University, Athens, OH, Oct. 21, 2004 (panelist).
138. *Government, Industry and Security*, The Privacy and National Security Forum, International Association of Privacy Professionals, Washington, DC, Sept. 30, 2004 (panelist).
139. *From Profiling to Phishing: Information Privacy and Security in the Year Ahead*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Sept. 16, 2004.
140. *Opportunities and Challenges of the Security-Privacy Tension*, HP Legal Privacy Group, Sept. 15, 2004 (teleconference).
141. *Briefing on Technology and Privacy Advisory Committee Report*, Committee on the Judiciary, U.S. House of Representatives, Washington, DC, July 19, 2004.
142. *Data Mining Technologies, Counterterrorism Technology and Privacy: McCormick Tribune Foundation Cantigny Conference*, National Strategy Forum and American Bar Association Standing Committee on Law and National Security, Chicago, IL, June 24-25, 2004.
143. *Accuracy, Privacy, and Other Financial Information Challenges*, Credit Industry Research Council Spring 2004 Conference, Point Clear, AL, Mar. 30, 2004.
144. *The Future of Fraud*, Experian Fraud Forum 2004, Amelia Island Plantation, FL, Mar. 16, 2004.

145. *Privacy, Secrecy, and Access to Public Information*, 2003 Newsroom Seminar, Hoosier State Press Association Foundation, Indianapolis, IN, Dec. 6, 2003.
146. *Terrorism, Technology, and Information Privacy: Finding the Balance*, Indiana University School of Law-Bloomington 21st Century Society Dinner, Indianapolis, IN, Oct. 17, 2003.
147. *Emerging Issues, Technology Litigation*, Indiana Continuing Legal Education Forum, Indianapolis, IN, July 16, 2003.
148. *Information Privacy in the New Era: Control, Convenience, or Security?*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 1-6, 2003.
149. *Access to Public Information in the United States after September 11*, AP Managing Editors' Conference, Muncie, IN, May 17, 2003 (panelist).
150. *Financial Services Regulatory and Legislative Agenda Items*, Corporate Governance: Implications for Financial Services Firms, Proceedings of the Chicago Federal Reserve Bank's 39th Bank Structure Conference Chicago, IL, May 8, 2003.
151. *Life Online: Being a State Court Judge in a Networked World*, Spring Judicial College for Judicial Officers, Indiana Judicial Center, Indianapolis, IN, Apr. 24, 2003.
152. *The Privacy Problem*, National FOI Day Conference: Survival Strategies for an Embattled Right, Freedom Forum First Amendment Center, Arlington, VA, Mar. 14, 2003.
153. *Value of Information Sharing*, Capital One Legislative Issues Conference, St. Pete Beach, FL, Mar. 7, 2003.
154. *Understanding the New Regulatory Frontier*, Experian Fraud Forum 2003, Phoenix, AZ, Mar. 4, 2003.
155. *Copyrights and Wrongs*, Elon University, Elon, NC, Feb. 15, 2003.
156. *Financial Privacy Symposium*, AEI-Brookings Joint Center on Regulatory Studies, Washington, DC, Jan. 8, 2003 (rapporteur).
157. *Privacy for Lunch: Beales and Cate on Privacy Policy and Practice*, Shook, Hardy & Bacon, Washington, DC, Dec. 11, 2002.
158. *Collection and Use of Credit Information and Protection of Citizens' Privacy and Commercial Secrets of Businesses*, Social Credit Workshop, Office of Legislative Affairs and Yale China Law Center, Beijing, Nov. 22-23, 2002.
159. *Privacy in an Age Without Information*, International Association of Privacy Officers Privacy & Data Security Academy, Chicago, IL, Oct. 17, 2002.
160. *Privacy Issues Facing the Pharmaceutical Research and Manufacturing Community*, Legal and Ethical Challenges for a Changing Health Care Industry, Indiana University School of Law—Indianapolis Center for Law and Health and Eli Lilly & Co., Indianapolis, IN, Oct. 15, 2002.
161. *Information Privacy and Security: The Year Ahead*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Sept. 26, 2002.

162. *Information Privacy*, South Atlantic Regional Library Conference, Asheville, NC, Sept. 24, 2002.
163. *Media Coverage of War*, Elon University, Elon, NC, Sept. 17, 2002.
164. *The Price of Privacy*, Elon University, Elon, NC, Sept. 16, 2002.
165. *Anti-Marketing Efforts*, American Financial Services Association State Government Relations Forum, Chicago, Aug. 17, 2002.
166. *Information Privacy in the New Era: Control, Convenience, or Security?*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 9-14, 2002.
167. *Data and Democracy*, Institute of Advanced Legal Studies, School of Advanced Studies, University of London, London, May 15, 2002.
168. *Exporting Mission Critical Data to the U.S. and Data Surveillance Post-September 11*, Denton Wilde Sapte, London, Apr. 9, 2002 (panelist).
169. *The Cost of Privacy Protection: An Overview of Recent Research*, Understanding European E-Commerce Law, The Institute for European Studies of the Vrije Universiteit Brussel, the Research Centre for Computer and Law of the University of Namur, the Centre for Law, Public Administration and the Information Society of the Tilburg University, and the Hunton & Williams Center for Information Policy Leadership, Brussels, Feb. 21, 2002.
170. *Privacy and Online Commerce*, Fidelity Center for Applied Technology, Boston, MA, Nov. 29, 2001.
171. *Privacy Issues Briefing*, Republican Attorneys General Association, Washington, DC, Nov. 15, 2001.
172. *Privacy Issues in the Information Age*, Oklahoma 1st Amendment Congress: Technology and the 1st Amendment, Edmond, OK, Nov. 9, 2001.
173. *Privacy Issues*, Oklahoma 1st Amendment Congress: Technology and the 1st Amendment (Students and Educators Program), Edmond, OK, Nov. 8, 2001.
174. *The 1st Amendment and Technology*, Oklahoma 1st Amendment Congress: Technology and the 1st Amendment (Students and Educators Program), Edmond, OK, Nov. 8, 2001.
175. *Information Privacy and the War Against Terrorism*, The Federalist Society, San Francisco, CA, Nov. 2, 2001.
176. *Why Should We Care About Fraud Anyway?*, Vision 2001, Experian, San Antonio, TX, Oct. 22, 2001.
177. *Internet Privacy*, Fourth Annual Women in Law Conference, Indianapolis, IN, Oct. 19, 2001.
178. *Security vs. Liberty: Is There a Choice?*, New Republic Forum, Washington, DC, Oct. 18, 2001 (panelist).
179. *Information Privacy*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Oct. 18, 2001.

180. *Privacy in the Information Age*, Privacy & Data Protection Law: The Emerging Frontier, American Corporate Counsel Association, Cincinnati, OH, Oct. 4, 2001.
181. *Privacy Policies and Privacy Officers—A Roundtable Discussion*, Privacy & Data Protection Law: The Emerging Frontier, American Corporate Counsel Association, Cincinnati, OH, Oct. 4, 2001 (moderator).
182. *Data and Democracy*, Inaugural Herman B Wells Distinguished Lecture, The Society and the Institute for Advanced Study, Indiana University, Sep. 21, 2001.
183. *Healthcare Privacy—An Overview of the Policy Debate*, Healthcare Transactions and Code Sets, Privacy, Data Security and HIPAA/GLB Compliance, The Health Colloquium at Harvard and the HIPAA Summit Conference Series, Aug. 19-22, 2001.
184. *Principles for Protecting Privacy*, Making a Federal Case out of Health Care: Five Years of HIPAA, Cato Institute, Washington, July 31, 2001.
185. *Identity Theft*, Conference of Western Attorneys General, Sun Valley, ID, July 14-18, 2001.
186. *Privacy in the Electronic Age: Myth or Possibility*, Ninth Annual Noble County Cares Conference, July 13, 2001.
187. *Privacy*, The 3rd Annual Financial Services Conference, The Financial Services and E-Commerce Practice Group of the Federalist Society, Washington, June 27, 2001.
188. *The Identity Theft Conundrum*, Experian Fraud Forum 2001, Atlanta, GA, June 19, 2001.
189. *The Price of Privacy*, Indiana Bankers Association 104th Annual Convention, Lexington, KY, June 12, 2001.
190. *Control of Information*, Indiana University Annual Marketing Retreat, Bloomington, IN, June 6, 2001.
191. *Privacy in Perspective*, American Enterprise Institute, Washington, June 5, 2001.
192. *The U.S. Approach to Privacy Law*, Privacy Law: The Japanese and U.S. Experience, General Electric Japan, Ltd., Orix Corporation, Hitachi, Ltd., and Procter & Gamble Far East, Inc., Tokyo, June 1, 2001.
193. *Serving Fund Shareholders in the Privacy Era*, Navigating the Changing Landscape—2001 General Membership Meeting of the Investment Company Institute, Washington, May 17, 2001 (panelist).
194. *Privacy and the Use of Personal Information*, Advisory Council Meeting, Credit Research Center, McDonough School of Business, Georgetown University, Chicago, May 17, 2001.
195. *Constitutional Issues in Information Privacy*, AEI-Brookings Joint Center for Regulatory Studies, Washington, May 15, 2001 (rapporteur).
196. *Privacy, Consumer Choice and Other Challenges in the Bush Administration*, Privacy Law Challenges 2001, Glasser Legal Works, Washington, May 14, 2001.
197. *Privacy in the Information Age*, The First Annual Privacy & Data Protection Summit, Privacy Officers Association, Arlington, VA, May 4, 2001.

198. *The Privacy Avalanche*, 2001: A Library Odyssey, Indiana Library Federation Annual Conference, Indianapolis, IN, Apr. 11, 2001.
199. *Public Records Privacy*, American Society of Newspaper Editors Annual Convention, Washington, Apr. 6, 2001.
200. *Privacy 101*, Experian 2001 Law Conference, Key West, FL, March 27, 2001.
201. *South Carolina Legislative Briefing on Privacy*, American Legislative Exchange Council, Columbia, SC, March 14, 2001.
202. *The Death of Privacy*, Sinai Sunday Evening Forum, Michigan City, IN, Feb. 18, 2001.
203. *Congressional Briefing on the Public Record: Social Security Numbers and Sensible Policies for the Information Age*, Coalition for Sensible Public Records Access, Washington, Feb. 15, 2001.
204. *The Price of Privacy*, Iowa Bankers Association 2001 Management Conference Legislative Dinner, Des Moines, IA, Feb. 6, 2001.
205. *Privacy and Public Notice on the Internet*, 76th Annual Winter Newspaper Institute, North Carolina Press Association, Chapel Hill, NC, Jan. 26, 2001.
206. *Privacy—The Year Ahead*, Board of Directors, National Retail Federation, New York, NY, Jan. 16, 2001.
207. *Protecting Consumer Privacy*, Joint Meetings of the Telecommunications & Information Technology and Health & Human Services Task Forces, American Legislative Exchange Council, Charlotte, NC, Jan. 14, 2001.
208. *The Benefits of Information*, Financial Institutions and Privacy in 2001: What Financial Institution Representatives Need to Know for the Upcoming Legislative Season, Financial Services Coordinating Council, Washington, DC, Dec. 14, 2000.
209. *Protecting Consumer Privacy: Is More Legislation Really Necessary*, States & Nation Policy Summit, American Legislative Exchange Council, Washington, DC, Dec. 8, 2000 (panelist).
210. *CyberCrime: The Role of the FCC*, Union Board, Bloomington, IN, Nov. 20, 2000 (moderator).
211. *Privacy Roundtable*, American Enterprise Institute, Washington, DC, Nov. 17, 2000 (organizer and moderator).
212. *Privacy, Computers, the Internet and Related Technology*, Tomorrow's Troubles Today: Legal Issues Regarding Computers, Privacy, Bio-Technology and Ethics for the Non-Specialist, The Indiana Lawyer, Indianapolis, IN, Nov. 16, 2000.
213. *Information Privacy: Can the United States Learn Anything From Europe?*, Brooklyn Law School, Brooklyn, NY, Nov. 15, 2000.
214. *Is a Notice a Contract?*, Experian Consumer Advisory Council, Washington, DC, Nov. 14, 2000.

215. *The Future of E-Commerce in Germany and the United States—Protecting Privacy and Resolving Disputes*, American Institute of Contemporary German Studies, Berlin, Nov. 9-10, 2000 (organizer and moderator).
216. *Information Privacy—A Debate*, Household Finance Attorneys Conference, Chicago, IL, Nov. 3, 2000.
217. *Privacy Roundtable*, Privacy2000: Information, Security and Ethics in the Digital Age, Columbus, OH, Oct. 31, 2000 (panelist).
218. *Privacy and Public Records*, Privacy2000: Information, Security and Ethics in the Digital Age, Columbus, OH, Oct. 31, 2000 (moderator).
219. *Privacy in the Information Age*, Life Insurance Marketing Association, Atlanta, GA, Oct. 23, 2000.
220. *The Privacy Paradox*, National Newspaper Association annual convention, Louisville, KY, Oct. 6, 2000.
221. *Privacy—State and Corporate Responsibility*, Republican Attorneys General Association, Williamsburg, VA, Sept. 27-28, 2000.
222. *Privacy, Technology, and the Internet*, Indiana Law Update, Indiana Continuing Legal Education Forum, Indianapolis, IN, Sept. 14, 2000.
223. *Financial Privacy*, American Bankers Council, Washington, DC, Sept. 13, 2000 (panelist).
224. *The Internet, the Law, and the States*, Indiana Legislative Services Agency CLE Program, Indianapolis, IN, Sept. 12, 2000.
225. *Information Privacy: Recent Developments and Future Challenges for Insurers*, The American Council of Life Insurers Board of Directors Meeting, Carmel Valley, CA, Sept. 7, 2000.
226. *The Privacy Avalanche*, Thomson Consumer Electronics, Indianapolis, IN, Aug. 31, 2000.
227. *Privacy Issues Affecting Retailers*, 24th Annual Conference of State and National Retail Executives, National Retail Federation, Whistler, Canada, Aug. 21, 2000 (panelist).
228. *Business-to-Consumer E-Commerce Policy Issues*, Committee for Economic Development, New York, NY, Aug. 3, 2000.
229. *Trust and Privacy*, IBM Global Services' Academic Conference, Armonk, NY, Aug. 1-2, 2000 (panelist).
230. *Privacy and Public Records*, National Conference of State Legislatures Annual Meeting, Chicago, IL, July 19, 2000 (panelist).
231. *International Data Protection in the E-Commerce World: U.S. and European Legal Considerations*, American Bar Association Consumer Financial Services Committee and the Conference on Consumer Finance Law, London, July 17, 2000 (panelist).
232. *Regulatory Perspectives*, Privacy Symposium: "Compliance is Mandatory," American Council of Life Insurers, Washington, DC, July 11, 2000 (panelist).

233. *Protecting Consumer Privacy*, House Republican Organizational Committee, Lake Chelan, WA, June 23, 2000.
234. *Privacy Overview*, NAAG Summer Meeting, National Association of Attorneys General, Seattle, WA, June 22, 2000 (panelist).
235. *The Future of Consumer Privacy*, National Retail Federation Executive Council, Washington, DC, June 13, 2000.
236. *Financial Privacy*, Privacy in the Information Age, National Press Foundation, Washington, DC, June 12, 2000 (panelist).
237. *Privacy Issues*, Third Annual Western State Legislators Conference, Women in Government, Salt Lake City, UT, June 9, 2000 (panelist).
238. *Congressional Briefing on Internet Privacy: The Role of Government and Industry in Providing Consumer Empowerment*, IT Congressional Working Group and Information Technology Association of America, Washington, DC, June 8, 2000 (panelist).
239. *Privacy in the Balance*, 2000 Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, May 31-June 1, 2000.
240. *Building Public Trust for Successful E-Government*, National Governors Association and Governing Magazine, Denver, CO, May 31, 2000.
241. *Balancing Privacy Protection and Responsible Uses of Personal Information*, The Association of Life Insurance Counsel Annual Meeting, Greenbrier, WV, May 23, 2000.
242. *Congressional Briefing on Privacy*, Financial Services Coordinating Council, Washington, DC, May 17, 2000.
243. *Internet Privacy*, United States Senate Forum on Technology & Innovation, Washington, DC, Apr. 26, 2000.
244. *Financial Privacy*, TowerGroup Annual Financial Services Technology Conference, Boston, MA, Apr. 13-14, 2000 (panelist).
245. *What Does Condon v. Reno Really Mean?*, Experian Consumer Advisory Council, Richmond, VA, Apr. 11, 2000 (debate).
246. *Press Briefing for Washington Journalists on Financial Privacy*, Financial Services Coordinating Council, Washington, DC, March 2, 2000.
247. *The Value of Information-Sharing*, American Bankers Association Privacy Task Force, Washington, DC, March 1, 2000.
248. *The Fallacy of Opt-in*, Republican Caucus, California State Senate, Sacramento, CA, February 29, 2000.

249. *The Regulatory Environment*, Information Policy Leaders Institute Privacy Conference, Hunton & Williams and Experian, Atlanta, GA, Feb. 21-25, 2000 (faculty member).
250. *E-Commerce Seminar*, Ice Miller Donadio & Ryan, Indianapolis, IN, Jan. 28, 2000 (moderator).
251. *The Perils and Possibilities of E-mail Access*, Indiana Court of Appeals, Indianapolis, IN, Jan. 27, 2000.
252. *The Future of E-Commerce in Germany and the United States*, American Institute of Contemporary German Studies, Berlin, Jan. 20-21, 2000 (organizer and moderator).
253. *Public Record Data in a Privacy Environment*, Associated Credit Bureaus Executive Conference, Scottsdale, AZ, Jan. 12-14, 2000.
254. *Meeting of High-Level Experts on Electronic Signatures and Certification Authorities*, International Telecommunication Union, Geneva, Dec. 9-10, 1999 (chair).
255. *Rights, Rules, and Regulations*, The Future of Financial Privacy 1999, Competitive Enterprise Institute, Washington, DC, Nov. 30-Dec. 1, 1999.
256. *Public Records After Shelby*, Experian Consumer Advisory Council, Washington, DC, Nov. 18-19, 1999 (panelist).
257. *New State Consumer Privacy Initiatives*, Privacy and American Business Annual Conference, Washington, DC, Nov. 9-10, 1999.
258. *Privacy and the Regulation of Personal Information*, Credit Research Center's 25th Anniversary Conference, McDonough School of Business, Georgetown University, Washington, DC, Nov. 3-4, 1999.
259. *Privacy and the Use of Information*, Vision '99, Experian, Tucson, AZ, Oct. 6, 1999 (panelist).
260. *Protecting Your Knowledge in the Global Market: Adroit Use of Intellectual Property Laws*, Trade Laws: Maximizing Your Advantage at Home and Abroad, Indiana Global Business Conference Series, Indianapolis, IN, Oct. 4, 1999 (panelist).
261. *E-Mail*, Joint Summit of the Legal Profession, Indiana Judicial Center, Sep. 29, 1999.
262. *The Costs and Benefits of Privacy*, Joint Summit of the Legal Profession, Indiana Judicial Center, Sep. 29, 1999.
263. *Access to Public Records in Japan and the United States*, Presentation to the Honorable Representative and the Mayors of the Prefecture of Kumamoto, Kumamoto, Japan, Sep. 19, 1999.
264. *Copyright Law Update and the Digital Millennium Copyright Act*, 1999 Midwest Intellectual Property Symposium, Indianapolis, IN, Aug. 26-27, 1999.
265. *Privacy Update*, Washington Area State Relations Group, Washington, DC, Aug. 24, 1999 (panelist).
266. *Medical Records Confidentiality: A State and Federal Update*, National Conference of State Legislatures 1999 Silver Anniversary Annual Meeting and Exhibition, Indianapolis, IN, July 27, 1999 (panelist).

267. *Public Records: A New Framework*, Experian Consumer Advisory Council, Schaumburg, IL, July 15-16, 1999.
268. *Information Privacy*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 7-11, 1999.
269. *Genetics & Public Policy*; *Privacy & Public Policy: Finding the Balance*, National Conference of State Legislatures, Lake Tahoe, NV, May 26-28, 1999 (panelist).
270. *Through a Glass Darkly*, Natural Disasters and Policy Response in Asia, Harvard University Asia Center, Cambridge, MA, Apr. 30-May 1, 1999.
271. *The Changing Face of Privacy Protection in the European Union and the United States*, Law and Technology in the New Millennium: Closing the Gap, Indiana Law Review, Indianapolis, IN, Mar. 26, 1999.
272. *Privacy*, Experian 1999 Law Conference, Hilton Head, SC, March 7-10, 1999 (panelist).
273. *U.S. Consumer Privacy Issues*, Privacy Risk Management in the Information Economy, Pricewaterhouse Coopers and Weil, Gotshal & Manges LLP, New York, NY, Feb. 25, 1998 (panelist).
274. *Patient Privacy*, Priority State Health Legislation for 1999, Institute for State Policy Studies, Ft. Lauderdale, FL, Jan. 15-17, 1999.
275. *Data Collection and Patient Privacy and Confidentiality*, State Medical Affairs Annual Meeting, American Medical Association, Tucson, AZ, Jan. 6-9, 1998 (panelist).
276. *Privacy and the Press: Where's the Balance?*, Society of Professional Journalists Annual Meeting, Los Angeles, CA, Oct. 23, 1998 (panelist).
277. *Privacy in the Information Age*, Consumer Credit Reporting World Conference: A Global Perspective on Consumer Information Issues, Rome, Italy, Oct. 18-20, 1998.
278. *Patient Confidentiality and Medical Privacy in the Year 2000*, 1998 State Government Affairs Section Annual Meeting, Pharmaceutical Research Manufacturers Association, Ft. Lauderdale, FL, Oct. 14-16, 1998 (panelist).
279. *Privacy Issues with Medical Information*, Legal Forum for Health Care Attorneys and Executives, 28th annual Indiana Hospital Attorney's Meeting, Indianapolis, IN, Oct. 9, 1998.
280. *Intellectual Property and Information Law Issues in the Digital Market*, International Public Relations Exchange, Indianapolis, IN, Oct. 9, 1998.
281. *Cloning and Confidentiality Legislation*, 1998 Pharmacy Relations Meeting, Pharmaceutical Research Manufacturers Association, Durham, NC, Sept. 2-4, 1998 (panelist).
282. *Protecting Privacy and Confidentiality*, Information Technology: The Promise and the Challenge, State Legislative Leaders Foundation and the University of North Carolina, Chapel Hill, NC, June 25-28, 1998.

283. *Information Privacy*, 1998 Internet Legal Symposium, Institute for Information Industry Science and Technology Law Center, Taipei, Taiwan, June 23-24, 1998.
284. *Intergovernmental Conference on Emergency Telecommunications*, Tampere, Finland, June 15-18, 1998.
285. *Privacy in the Information Age*, American Society of Access Professionals, Washington, DC, May 14, 1998.
286. *Legal Pitfalls in Investigative Reporting*, Media Law Seminar, Hoosier State Press Association, Society for Professional Journalists, Indiana Broadcasters Association, and the Indiana Continuing Legal Education Forum, Indianapolis, IN, May 7, 1998 (panelist).
287. *Informal Consultations on the Draft Convention for the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations*, Geneva, Switzerland, Apr. 27-28, 1998 (chair).
288. *Digital Information and the Law*, American Bar Association Section on the Judiciary, St. Simon's Island, GA, Apr. 19-22, 1998.
289. *Fair Information Practices/Data Privacy: How We Got Here—Where We're Going*, Coalition of Service Industries, Washington, DC, Apr. 16, 1998 (conference chair).
290. *Briefing on U.S. Privacy Law for Ambassador Hugo Paemen*, Head of Delegation, European Commission Delegation to the United States, European-American Business Council, Washington, DC, Apr. 15, 1998.
291. *Privacy and Telecommunications*, Wake Forest Law Review Annual Business Law Symposium, Winston-Salem, NC, Apr. 3, 1998.
292. *Privacy in the Information Age*, Experian Consumer Advisory Council, Scottsdale, AZ, March 26-27, 1998 (keynote address).
293. *Sovereignty and the Globalization of Intellectual Property*, Information Law and Commerce Institute, Bloomington, IN, Feb. 19-20, 1998 (organizer and moderator).
294. *Access to Government Information, Privacy and American Business*, Washington, DC, Oct. 23, 1997 (panelist).
295. *Privacy in the Information Age*, The Brookings Institution, Washington, D.C., Oct. 21, 1997 (presenter).
296. *Privacy vs. Paranoia, Your Right to Know Conference*, Indianapolis, IN, Oct. 18, 1997 (panelist).
297. *Technology and Freedom: Security and Privacy in the Digital Economy*, The Wall Street Journal Technology Summit, New York, Oct. 15-16, 1997 (panelist).
298. *Trans-Border Data Flow Workshop*, American Institute for Contemporary German Studies, New York, Sept. 22, 1997 (panelist).
299. *Technology and the Law*, Indiana Judicial Conference, Indiana Judicial Center, Indianapolis, IN, Sept. 19, 1997.

300. *Copyright and Electronic Publishing*, History Journals and the Electronic Future, Organization of American Historians and American Historical Association, Bloomington, IN, Aug. 5, 1997.
301. *Digital Information and the Law*, Indiana Graduate Program for Judges, Indiana Judicial Center, Nashville, IN, June 1-6, 1997.
302. *Free Speech in the College Community: A Conversation with Robert M. O'Neil*, Indiana University Schools of Law, Indianapolis, IN, Apr. 29, 1997 (moderator).
303. *An Overview of Existing Disputes and Emerging Challenges on the Internet*, Emerging Business Disputes Along the Information Highway, State Bar of Texas, Dallas, TX, Apr. 24-25, 1997.
304. *Privacy in the Age of Electronic Commerce*, The Brookings Institution, Washington, D.C., Apr. 9, 1997 (presenter).
305. *Reaching the Public: Health Policy and the Media*, National Leadership Conference Communications Seminar, American Medical Association, Philadelphia, PA, March 16, 1997.
306. *Caribbean Emergency Telecommunications Workshop*, Port-of-Spain, Trinidad and Tobago, Nov. 4-9, 1996 (speaker and rapporteur).
307. *The Media and the Nation's Health*, National Association of Physician Broadcasters 1996 Annual Awards Banquet, Miami, FL, Apr. 27, 1996.
308. *Children, Libraries, Sexually Explicit Expression, and the First Amendment*, Indiana Library Federation Annual Conference, Indianapolis, IN, Apr. 25, 1996.
309. *Controversies in Medicine—Death and Dying*, Orange County Medical Society and PBS, Orlando, FL, Apr. 14, 1996 (panelist).
310. *Telephone Companies, the First Amendment, and Technological Convergence*, Telecommunications Regulation in an Era of Convergence, DePaul Law Review, Chicago, IL, March 1, 1996.
311. *Juries, Justice, and the Media—After O.J.*, Courtroom Television Network and The Annenberg Washington Program, Washington, DC, Jan. 23, 1996 (co-convenor).
312. *Legal and Legislative Issues Affecting Organ Transplantation*, The Transplantation Kaleidoscope—4th annual Indiana University Organ Transplant Conference, Indiana University Medical Center, Indianapolis, IN, Jan. 9, 1996.
313. *Controversies in Medicine—Organ Transplantation*, Orange County Medical Society and PBS, Orlando, FL, Dec. 6, 1995 (panelist).
314. *U.S.-European Privacy Roundtable*, The Annenberg Washington Program, Washington, DC, Nov. 10, 1995 (moderator).
315. *Telecommunications Reform and Information Privacy*, Privacy and American Business, Washington, DC, Oct. 31, 1995.
316. *The Place of the Library in a Democracy: Legal Issues, Rights, and Responsibilities*, Indiana Public Library Association Leadership Conference, Nashville, IN, Oct. 4, 1995.

317. *First Amendment Rights of Business and Individuals*, 23rd Annual Telecommunications Policy Research Conference, Solomon's Island, MD, Sept. 30-Oct. 2, 1995.
318. *Inquiring Minds: the Right to Know vs. the Right to Privacy*, Media and the Mind: Shaping Political and Ethical Consensus in America, 1995 Johnston Scholars Issues Forum, University of North Carolina, Chapel Hill, NC, Sept. 26, 1995.
319. *First Amendment Issues on the Information Super Highway*, 9th Annual Computer & Information Law Institute, The University of Houston and the State Bar of Texas, Dallas, TX, Sept. 20-23, 1995.
320. *Copyright Liability in a High-Tech World*, Midwestern Intellectual Property Symposium, State Bar of Indiana and Indiana Continuing Legal Education Forum, Indianapolis, IN, Aug. 22-23, 1995.
321. *Panel on Intellectual Property Issues*, Partnerships in Networked Health Information for the Public, Department of Health and Human Services, Rancho Mirage, CA, May 14-16, 1995 (chair).
322. *The First Amendment and the Information Superhighway*, Emerging Business Disputes Along the Information Highway, State Bar of Texas, Houston, TX, May 4-5, 1995.
323. *Panel on Media and Fundraising*, InterAction Annual Meeting, Bethesda, MD, May 1, 1995 (chair).
324. *Copyright and Electronic Libraries*, Indiana Library Federation Annual Conference, Indianapolis, IN, Apr. 13, 1995.
325. *The First Amendment and the National Information Infrastructure*, Wake Forest Law Review Annual Business Law Symposium, Winston-Salem, NC, Mar. 24, 1995.
326. *Copyright and the First Amendment*, Forum on Digital Libraries, Library of Congress and The Annenberg Washington Program, Washington, DC, Mar. 17, 1995.
327. *From Conduit to Content: The Emergence of Information Policy and Law*, Federal Communications Law Journal and The Annenberg Washington Program, Washington, DC, Mar. 3, 1995 (moderator).
328. *Communications and Disaster Mitigation*, Meeting of the United Nations Scientific and Technical Committee, Washington, DC, Feb. 28, 1995.
329. *Panel on Media and Disaster Mitigation*, Meeting of the United Nations Scientific and Technical Committee, Washington, DC, Feb. 28, 1995 (moderator).
330. *Panel on Transplant Policy Making*, Joint Annual Meeting of the Division of Transplantation, Department of Health and Human Services, and the United Network on Organ Sharing, Washington, DC, Feb. 16, 1995 (moderator).
331. *Information Privacy*, 1995 Frontiers of Legal Thought Conference—Law in the Information Age: First Amendment, Privacy and Electronic Networks, Duke University School of Law, Durham, NC, Jan. 26-28, 1995.
332. *Media, Images, and Development Roundtable*, InterAction, Washington, DC, Jan. 24, 1995 (chair).

333. *Disaster Communications*, Humanitarian Crises, Policy Making, and the Media: Strengthening Interaction in the Electronic Age, Cambridge, MA, Dec. 10, 1994.
334. *Workshop on Intellectual Property in Networked Health Information*, Department of Health and Human Services and The Annenberg Washington Program, Washington, DC, Dec. 3, 1994 (co-convener and moderator).
335. *In Search of the First Amendment: Free Speech and the First Amendment on the Internet*, Civil Liberties in Cyberspace: Constitutional Law on the Electronic Frontier, Indiana Civil Liberties Union, Bloomington, IN, Dec. 2, 1994.
336. *The First Amendment Denied*, Free Speech in a Democratic Society: Where do we Draw the Line?, University of South Florida, Tampa, FL, Nov. 18, 1994.
337. *Panel on Information Content, Intellectual Property, and Privacy*, International Information Superhighway Conference, American Bar Association Section of Science and Technology, Washington, DC, Oct. 20, 1994 (moderator).
338. *Disaster Communications and Development*, 17th annual Third World Studies Conference, Omaha, NE, Oct. 15, 1994.
339. *Information Privacy and the Public Interest*, The Annenberg Washington Program, Washington, DC, Oct. 6, 1994 (convener and moderator).
340. *Transplant Communications*, Advances in Transplantation, Anaheim, CA, Oct. 1,
341. *Disaster Communications*, National Academy of Sciences' Board on Natural Disasters, Woods Hole, MA, Sep. 16, 1994.
342. *Roundtable on the Media, Scientific Information, and Disasters*, United Nations World Conference on Disaster Reduction, Yokohama, Japan, May 24, 1994 (convener and moderator).
343. *Rethinking Organ Transplant Policy*, University of Iowa College of Law, Iowa City, IA, Apr. 9, 1994.
344. *Information Policy Working Group*, The Annenberg Washington Program, Washington, DC, Mar. 14, 1994 (convener and moderator).
345. *Human Organ Transplantation—Law, Legislation and Communications*, Transplantation: A Panoramic View, Indianapolis, IN, Jan. 14, 1994.
346. *Media, Development and Images of the Developing World Working Group*, International Federation of Red Cross and Red Crescent Societies, BBC, CNN, NPR, The Annenberg Washington Program, et al, London, Dec. 2-3, 1993 (convener).
347. *An Analysis of the National Organ Transplant Act and Its Impact on the Current Transplant System*, Transplantation At the Crossroads: Managing the Major Federal Policy Changes Ahead, Transplant News, Washington, DC, Oct. 25, 1993 (moderator).
348. *Legal Issues in Non-Heart Beating Cadaver Organ Retrieval*, Consensus Conference on Fatal Trauma Victims and Organ Donation, Washington Hospital Center, Washington, DC, Oct. 7-8, 1993 (co-chair).

349. *Media, Development and Images of the Developing World Roundtable*, International Federation of Red Cross and Red Crescent Societies, BBC, CNN, NPR, The Annenberg Washington Program, et al, Washington, DC, May 20, 1993 (co-convenor).
350. *Technological Advances in the Courtroom*, Communicating With Juries, The Annenberg Washington Program, Washington, DC, Apr. 6, 1992 (moderator).
351. *Resolved: Columbus Discovered America*, The Oxford-Northwestern Debate in conjunction with the House Task Force on the Christopher Columbus Quincentennial, Washington, DC, Mar. 18, 1992 (chair).
352. *Global Information Policymaking and Domestic Law, Domestic Law Reforms*, The Globalization of Law, Politics, and Markets: Implications for Domestic Law Reform, Indiana University School of Law, Bloomington, IN, Mar. 7, 1993.
353. *Current Issues in Transplantation Ethics and Law*, Presidential Showcase Program—Organ Donation and Transplantation: What is the Lawyer's Role?, American Bar Association Annual Meeting, San Francisco, CA, Aug. 10, 1992.
354. *Public Health Promotion: How Far Dare We Go?*, Challenges in Personal and Public Health Promotion, Medicine for the 21st Century, American Medical Association, Rancho Mirage, CA, Feb. 5-8, 1992.
355. *The Use of the Media to Promote Health Behavior*, Freedom of Expression, Hollins Institute for Ethics and Public Policy, Roanoke, VA, June 12-14, 1992.
356. *The Patient Self-Determination Act: Implementing the Education Requirements*, Communications and the Patient Self-Determination Act: Strategies for Meeting the Educational Mandate, American Association of Critical-Care Nurses and The Annenberg Washington Program, Washington, DC, Nov. 9-10, 1992.
357. *Current Developments in Advance Directives*, Patient Care Law Update: Rights, Liabilities and Strategies, American Bar Association, New Orleans, LA, Apr. 9-10, 1992.
358. *Health Care Decision-Making and Organ and Tissue Donation*, Annual Meeting of the Division of Organ Transplantation, Arlington, VA, Feb. 10-11, 1992.
359. *Communications and Culture: Should the United States Protect Cultural Resources*, National Endowment for the Arts and The Annenberg Washington Program, Washington, DC, Oct. 29, 1991 (convener and moderator).
360. *The Emerging Link: The Strategic Role of Telecommunications Services in Economic Development*, National Telecommunications and Information Administration, Department of Commerce, Houston, TX Mar. 20-23, 1991 (member of the organizing committee and participant).
361. *Panel on Political Correctness*, Indiana Civil Liberties Union annual conference, Sept. 28, 1991 (moderator).
362. *Obscenity and the Law*, Summer Workshop for Communications Faculty, Washington, DC, June 5, 1991 (moderator).

- 363. *Visions of the First Amendment for a New Millennium*, The Annenberg Washington Program, Washington, DC and Chicago, IL, 1990-91 (series convener).
- 364. *Selecting Impartial Juries: Must Ignorance Be a Virtue in Our Search for Justice?*, The Annenberg Washington Program, Washington, DC, May 11, 1990 (co-convener).
- 365. *Increasing the Supply of Organs for Transplantation: The Role of Ethics and Law*, Transplantation and Communications in the '90s and Beyond, Medicine for the 21st Century, American Medical Association, Rancho Mirage, CA, Apr. 22-25, 1990.
- 366. *The Emerging Link: The Strategic Role of Telecommunications Services in Economic Development*, National Telecommunications and Information Administration, Department of Commerce, Atlanta, GA, Apr. 17-19, 1990 (member of the organizing committee and participant).

December 2011

